

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

FREEDOM FROM RELIGION	:	
FOUNDATION, INC., DOE 1, by DOE	:	Case 2:12-cv-01319-TFM
1's next friend and parent, MARIE	:	
SCHAUB, who also sues on her own	:	
behalf, DOE 2, by Doe 2's next friend and	:	
parent DOE 3, who also sues on Doe 3's	:	
own behalf.	:	
	:	
	:	
Plaintiffs,	:	
vs.	:	
	:	
	:	
NEW KENSINGTON-ARNOLD	:	
SCHOOL DISTRICT,	:	
	:	
	:	
Defendant.	:	

PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

AND NOW come Plaintiffs, Freedom From Religion Foundation, Marie Schaub, and Doe 1, collectively referred to as "Plaintiffs" and, pursuant to Federal Rule of Civil Procedure 56, submit this Motion for Summary Judgment:

1. There are no genuine issues of material facts that remain to be litigated on Plaintiffs' claims of deprivation of Plaintiffs' constitutional rights secured by the First and Fourteenth Amendments of the United States Constitution.
2. Plaintiffs incorporate their Concise Statement of Material Facts filed simultaneously with this Motion.
3. Based upon the undisputed facts set forth in Plaintiffs' Concise Statement of Material Facts, which is incorporated in and filed simultaneously with this Motion, the Court should award all relief requested by Plaintiffs in their Complaint.
4. Plaintiffs have suffered injuries-in-fact and have standing to bring their claims.

5. Defendant's display of the Ten Commandments Monument on the public school grounds of the Valley High School violates the Establishment Clause of the First Amendment because the purpose of the display is to endorse religion, the display has the effect of endorsing religion, and because the display fosters an excessive government entanglement in religion.

WHEREFORE, Plaintiffs respectfully request that the Court grant all the relief requested by Plaintiffs' in their Complaint.

Respectfully submitted,

/s/ Marcus B. Schneider, Esquire
Marcus B. Schneider, Esquire
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CERTIFICATE OF SERVICE

I hereby certify that on December 12, 2014, the foregoing **PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT** was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic case filing system and constitutes service of this filing under Rule 5(b)(2)(E) of the Federal Rules of Civil Procedure. Parties may access this filing through the Court's ECF system.

/s/ Marcus B. Schneider, Esquire
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